

HOUSE CS FOR SENATE BILL NO. 132(HSS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 5/9/22

Referred: Labor and Commerce

Sponsor(s): SENATORS HOLLAND, Gray-Jackson, Hughes, Reinbold, Bishop, Begich, Shower, Myers, Micciche, Costello, Wilson

REPRESENTATIVES Prax, Tilton, Carpenter, Gillham, McCabe, Johnson, Cronk, McKay, Kaufman, Kurka, McCarty, Schrage

A BILL

FOR AN ACT ENTITLED

"An Act relating to the controlled substance prescription database."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** AS 17.30.200(k) is amended to read:

(k) In the regulations adopted under this section, the board shall provide

(1) that prescription information in the database shall be purged from the database after two years have elapsed from the date the prescription was dispensed;

(2) a method for an individual to challenge information in the database about the individual that the person believes is incorrect or was incorrectly entered by a dispenser;

(3) a procedure and time frame for registration with the database;

(4) that a practitioner review the information in the database to check a patient's prescription records before dispensing, prescribing, or administering a schedule II or III controlled substance under federal law to the patient; the regulations must provide that a practitioner is not required to review the information in the

1 database before [DISPENSING, PRESCRIBING, OR ADMINISTERING]

2 (A) **dispensing, prescribing, or administering** a controlled
3 substance to a person who is receiving treatment

4 (i) in an inpatient setting;

5 (ii) at the scene of an emergency or in an ambulance; in
6 this sub-subparagraph, "ambulance" has the meaning given in
7 AS 18.08.200;

8 (iii) in an emergency room;

9 (iv) immediately before, during, or within the first 48
10 hours after surgery or a medical procedure;

11 (v) in a hospice or nursing home that has an in-house
12 pharmacy; [OR]

13 (B) **dispensing, prescribing, or administering** a nonrefillable
14 prescription of a controlled substance in a quantity intended to last for not
15 more than three days; **or**

16 **(C) prescribing a controlled substance if the practitioner is**
17 **a veterinarian.**

18 * Sec. 2. AS 17.30.200(t) is amended to read:

19 (t) A practitioner or a pharmacist is not required to comply with the
20 requirements of (a) and (b) of this section if

21 **(1) the practitioner is a veterinarian licensed under AS 08.98 who**
22 **is dispensing a prescription of a controlled substance in a quantity intended to**
23 **last for not more than three days or who did not dispense a controlled substance**
24 **during the daily reporting period; or**

25 **(2)** a controlled substance is

26 **(A)** [(1)] administered to a patient at

27 **(i)** [(A)] a health care facility; or

28 **(ii)** [(B)] a correctional facility; **or**

29 **(B)** [(2)] dispensed to a patient for an outpatient supply of 24
30 hours or less at a hospital

31 **(i)** [(A)] inpatient pharmacy; or

1 (ii) [(B)] emergency department.

2 * **Sec. 3.** AS 17.30.200(u) is amended by adding a new paragraph to read:

3 (6) "practitioner" means

4 (A) a physician, dentist, advanced practice registered nurse,
5 optometrist, scientific investigator, veterinarian, or other person licensed,
6 registered, or otherwise permitted to distribute, dispense, conduct research with
7 respect to, or to administer or use in teaching or chemical analysis a controlled
8 substance in the course of professional practice or research in the state;

9 (B) a pharmacy, hospital, or other institution licensed,
10 registered, or otherwise permitted to distribute, dispense, conduct research with
11 respect to, or to administer a controlled substance in the course of professional
12 practice or research in the state.